



July 22, 2019

**Ex Parte**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

**Re: Establishing the Digital Opportunity Data Collection WC Docket No. 19-195  
Modernizing the FCC Form 477 Data Program, WC Docket No. 11-10  
Connect America Fund, WC Docket No. 10-90  
Rural Digital Opportunities Fund, WC 19-126**

Dear Ms. Dortch:

On July 18, 2019, representatives of USTelecom, AT&T, CenturyLink, Consolidated, Frontier, Verizon, Windstream, TDS, ITTA and WISPA met separately with Jamie Susskind, Chief of Staff to Commissioner Carr, and Joe Calascione, Acting Legal Advisor to Commissioner Carr; Preston Wise, Special Counsel to Chairman Pai; Arielle Roth, Wireline Advisor to Commissioner O'Reilly; and, Randy Clarke, Acting Wireline Legal Advisor to Commissioner Starks. On July 19, 2019 the same group met with Travis Litman, Chief of Staff and Senior Legal Advisor to Commissioner Rosenworcel. A full list of participants is below. The purpose of the meetings was for the Broadband Mapping Consortium (Consortium) members to discuss the Draft Report and Order and Further Notice of Proposed Rulemaking (R&O and FNPRM) for the Digital Opportunity Data Collection.<sup>1</sup>

We thanked the Commission for its efforts to improve broadband mapping and discussed the critical value of the Consortium's Broadband Serviceable Location Fabric (BSLF) proposal for closing the digital divide. However, we noted our disagreement with the assertion in the draft R&O based on speculative filings that it would take "several years" to complete the BSLF. Based on our actual experience with the BSLF Pilot project we have already refuted this speculation in the record, specifying that the creation of the BSLF for the entire country can be complete within 12-15 months of the work start date.<sup>2</sup> We stated our position that the underlying BSLF is necessary to make shapefile reporting meaningful and that the creation of the fabric

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<sup>1</sup> *Digital Opportunity Data Collection*, WC Docket Nos. 19-195, 11-10, Draft Notice of Proposed Rulemaking, FCC-CIR1908-02.

<sup>2</sup> See Letter from B. Lynn Follansbee, VP – Law & Policy, USTelecom to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 11-10, 10-90 (Mar. 21, 2019); Letter from B. Lynn Follansbee, VP – Policy & Advocacy, USTelecom to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 11-10, 10-90 (May 28, 2019).

should be promptly adopted. We also stated that the R&O should include a tentative conclusion that the creation of the BSLF should run in parallel with the new USAC portal creation processes required to prepare for the submission of shapefile reporting.

We also expressed our concern that the current draft R&O appears to indicate that shapefile reporting would be required six months after USAC finalizes the portal, but that the FNPRM seeks comment on GIS compatability standards that also need to be resolved prior to the first shapefile submission deadline. As such, we suggested that the draft R&O be clarified to reflect that the first shapefile submission would be due at the later of six months after the portal is ready or once GIS compatibility standards are decided upon.

In addition, there is a notable lack of clarity in the item with respect to the various delegations of authority to the Bureaus, Offices and USAC. Firstly, we noted that in addition to the bureaus listed in the item, the Wireless Telecommunications Bureau should be included as one of the consulting bureaus because fixed wireless providers are subject to the obligations described in this rulemaking and therefore their expertise is necessary. Secondly, we recommended that the item specifically provide for stakeholder input into the development of both the shapefile portal and the “crowdsourcing” intake process. Based on our members’ previous experience with the USAC creation of the HUBB portal and difficulties with its use by reporting entities, we strongly suggested that there be a clear and transparent process for stakeholder input on the front end of the creation of these rules, procedures and portals.

Finally we noted that the current draft requires shapefile submission within six months of a provider’s new deployment and that for larger companies that deploy new locations very frequently, this would result in a more frequent and burdensome reporting cycle. We suggested that the R&O be clarified to align the new shapefile reporting deadlines with the semi-annual FCC Form 477 reporting for administrative ease of the filers as well as for the consistency of FCC data.

Please contact the undersigned should you have any questions.

Respectfully submitted,

USTELECOM



By: \_\_\_\_\_

B. Lynn Follansbee  
Vice President –Policy & Advocacy

cc: Nick Degani  
Preston Wise

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Arielle Roth  
Jamie Susskind  
Joe Calascione  
Travis Litman  
Randy Clarke  
Kris Montieth  
Steve Rosenberg  
Kirk Burgee  
Ken Lynch  
Giulia McHenry

**Industry Attendees**

Lynn Follansbee, USTelecom  
Mike Saperstein, USTelecom  
Mary Henze, AT&T  
Ola Oyefusi, AT&T  
Kathy Franco,\* AT&T  
Ruth Willard,\* ACS  
Rich Cameron,\* ACS  
Mike Skrivan,\* Consolidated  
Jeff Lanning,\* CenturyLink  
Sara Cole,\* TDS  
Richard Rousselot, CenturyLink  
Diana Eisner, Frontier  
AJ Burton, Frontier  
Genny Morelli, ITTA  
Ian Dillner, Verizon  
Thomas Whitehead, Windstream  
Steve Coran, WISPA  
Louis Peraertz, WISPA

\*= On the phone